

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MARK ANTHONY MANFRED, JR.,

Plaintiff,

v.

CIVIL ACTION FILE
NO. 1:18-CV-1065-TWT

A. SMITH

Inmate Worker Coordinator #24685,
Clayton County Jail; Official and
Individual Capacity,

Defendant.

ORDER

This is a pro se prisoner civil rights action. It is before the Court on the Report and Recommendation [Doc. 13] of the Magistrate Judge recommending granting the Defendant's Motion for Judgment on the Pleadings [Doc. 12] and dismissing the action without prejudice. After the Magistrate Judge issued her Report and Recommendation, the Plaintiff filed Objections including a copy of the grievance that he allegedly submitted on February 6, 2018. Assuming that the Plaintiff exhausted his administrative remedies, the Complaint should be dismissed on other grounds stated in the Defendant's Motion for Judgment on the pleadings. Although the Plaintiff does not allege that he suffered a "physical" injury in connection with his religious discrimination claim, he seeks punitive and compensatory damages from Smith in the total amount of

\$1,000,000. This relief, however, is barred by the Prison Litigation Reform Act, which provides: “No Federal civil action may be brought by a prisoner confined in a jail, prison, or other correctional facility, for mental or emotional injury suffered while in custody without a prior showing of physical injury.”⁴² U.S.C. § 1997e(e). Because Plaintiff has not and cannot allege that Smith caused him to suffer physical injury, his claims for punitive and compensatory damages are barred by the PLRA. See, e.g., *Al-Amin v. Smith*, 637 F.3d 1192, 1196 (11th Cir. 2011) (affirming order barring inmate from offering evidence of either compensatory or punitive damages). Because the Plaintiff has been released, he can seek no other relief. The Defendant’s Motion for Judgment on the Pleadings [Doc. 12] is GRANTED. This action is DISMISSED.

SO ORDERED, this 14 day of September, 2018.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge